

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**DIANA LOPEZ, Individually and on  
behalf of all heirs at law and wrongful  
death beneficiaries of Jose Luis Mata,  
deceased, and on behalf of the Estate  
of Jose Luis Mata**

**PLAINTIFF**

**v.**

**CAUSE NO. 4:12CV195-LG-JMR**

**FORD MOTOR COMPANY;  
GOODYEAR TIRE & RUBBER  
COMPANY; and GOODYEAR  
CANADA, INC.**

**DEFENDANTS**

**ORDER GRANTING PLAINTIFF'S MOTION TO STAY DEADLINE  
TO RESPOND TO GOODYEAR CANADA, INC.'S MOTION TO DISMISS**

**BEFORE THE COURT** is the plaintiff Diana Lopez's Motion [163] to Stay the Deadline to Respond to Goodyear Canada Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction. The defendants do not oppose the Motion. After reviewing the Motion and the record in this matter, the Court finds that the Motion should be granted. However, the Court has altered the deadlines suggested by the parties.

**DISCUSSION**

Lopez filed this lawsuit seeking damages for the death of her husband, Jose Luis Mata. She claims that Mata's death in an automobile accident was caused by the defendants' products. The defendant Goodyear Canada filed its Motion to Dismiss for Lack of Personal Jurisdiction [79] on July 16, 2013. The Court granted Lopez additional time to respond to the Motion so that she could conduct discovery regarding whether this Court can exercise personal jurisdiction over Goodyear Canada. That deadline expired on December 2, 2013.

On the day that her response to the Motion to Dismiss was due, Lopez filed the present Motion seeking a stay of the deadline for responding to the Motion. She asserts that she served her fifth set of discovery requests on the defendants on November 13, 2013; therefore, the responses to those requests are not yet due. Lopez explains that she will not be able to determine whether it will be necessary to file a motion to compel discovery responses until after the responses are submitted. In addition to staying the deadline for responding to the Motion to Dismiss, she asks the Court to impose a January 20, 2014, deadline for filing a motion to compel, with the deadline for responding to the Motion to Dismiss to be set at a later date.

The Motion to Dismiss for Lack of Personal Jurisdiction has been pending for almost five months. This Court is bound by its own time limitations for entering orders on Motions, and thus, it cannot grant Lopez over five weeks to determine whether to file a motion to compel. As a result, the deadline for filing a motion to compel, if necessary, is December 30, 2013.

If Lopez determines that it is not necessary to file a motion to compel, she must notify the Court on or before December 30, 2013. The Court will then impose a deadline for responding to the Motion to Dismiss.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that Diana Lopez's Motion [163] to Stay the Deadline to Respond to Goodyear Canada Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction is **GRANTED**. The Court will impose a new deadline at a later time.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that Diana Lopez's deadline for either filing a motion to compel or notifying the Court that a motion to compel is unnecessary is **DECEMBER 30, 2013**.

**SO ORDERED AND ADJUDGED** this the 3rd day of December, 2013.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.  
Chief United States District Judge